

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC PROPOSED ADJUSTMENT OF )  
THE WHOLESALE WATER SERVICE RATES OF ) CASE NO.  
CENTRAL CITY MUNICIPAL WATER & SEWER ) 2017-00199

ORDER

On July 31, 2017 and August 11, 2017, Central City Municipal Water & Sewer (“Central City”) filed petitions, pursuant to KRS 61.878(1)(a) and 807 KAR 5:001, Section 13, requesting that the Commission grant confidential protection in perpetuity to portions of a document produced in an initial response and a supplemental response to Item 10 of the Commission Staff’s First Request for Information.

As a basis for its request, Central City states that the designated material under the headings “Employee Pd.” and “Ins. Coverage” in both the response and supplemental response contains information that relates to the insurance benefits received by its employees, such as the type of insurance plans and premiums paid by the employees. Central City contends that the disclosure of this information would allow individuals to obtain personal information of its employees such as marital status, whether the employee has children, and premiums paid by the employee. Central City argues that KRS 61.878(1)(a) exempts this information from disclosure under Kentucky’s Open Records Law because public disclosure “would constitute a clearly unwarranted invasion of personal privacy”.

Having considered the petition and the material at issue, the Commission finds that the portion of Central City's response and supplemental response to Item 10 of the Commission Staff's First Request for Information located under the headings "Employee Pd." and "Ins. Coverage" is generally recognized as confidential or proprietary; it therefore meets the criteria for confidential treatment and is exempted from public disclosure pursuant to KRS 61.878(1)(a) and 807 KAR 5:001, Section 13.

IT IS THEREFORE ORDERED that:

1. Central City's petitions for confidential protection for the portion of Central City's response and supplemental response to Item 10 of the Commission Staff's First Request for Information located under the headings "Employee Pd." and "Ins. Coverage" is granted.

2. The designated confidential material contained in the response and supplemental response to Item 10 shall not be placed in the public record or made available for public inspection until further Order of this Commission.

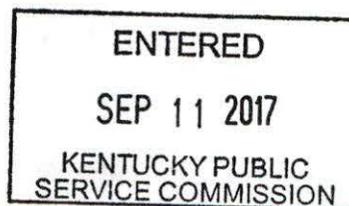
3. Use of the material in question in any Commission proceeding shall be in compliance with 807 KAR 5:001, Section 13(9).

4. Central City shall inform the Commission if the material in question becomes publicly available or no longer qualifies for confidential treatment.

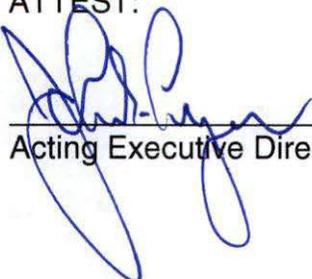
5. If a non-party to this proceeding requests to inspect the material granted confidential treatment by this Order and the period during which the material has been granted confidential treatment has not expired, then Central City shall have 20 days from receipt of written notice of the request to demonstrate that the material still falls within the exclusions from disclosure requirements established in KRS 61.878. If Central City is

unable to make such demonstration, the requested material shall be made available for inspection. Otherwise, the Commission shall deny the request for inspection. The Commission shall not make the requested material available for inspection for 20 days following an Order finding that the material no longer qualifies for confidential treatment in order to allow Central City to seek a remedy afforded by law.

By the Commission



ATTEST:



Acting Executive Director

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